

CHAPTER NO. 280

SENATE BILL NO. 2151

By Curtis S. Person, Jr.

Substituted for: House Bill No. 2052

By Lois DeBerry

AN ACT to amend Tennessee Code Annotated, Title 27, Chapter 1, relative to appeals.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 27, Chapter 1, is amended by adding the following as a new section thereto:

27-1-125. The Court of Appeals may in its discretion permit an appeal from an order of a trial court granting or denying class action certification under Rule 23 of the Tennessee Rules of Civil Procedure if an application is filed with the clerk of the appellate court within ten (10) days after the entry of the order. A party shall not be required to obtain permission from the trial court to apply for an appeal under this section. In all other respects, the filing and consideration of an application to appeal from an order granting or denying class action certification shall be governed by Rule 9 of the Tennessee Rules of Appellate Procedure.

SECTION 2. This act shall take effect July 1, 2005, the public welfare requiring it, and shall apply to all cases pending on or filed on or after the effective date of this act.

PASSED: May 16, 2005


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 28th day of May 2005


PHIL BREDESEN, GOVERNOR